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LEADING FACTS

Oregon School Law

1906

AN OUTLINE AND SUMMARY ARRANGED FOR TEACHERS

BY

R. F. ROBINSON

Superintendent of Schools

Multnomah County, Oregon

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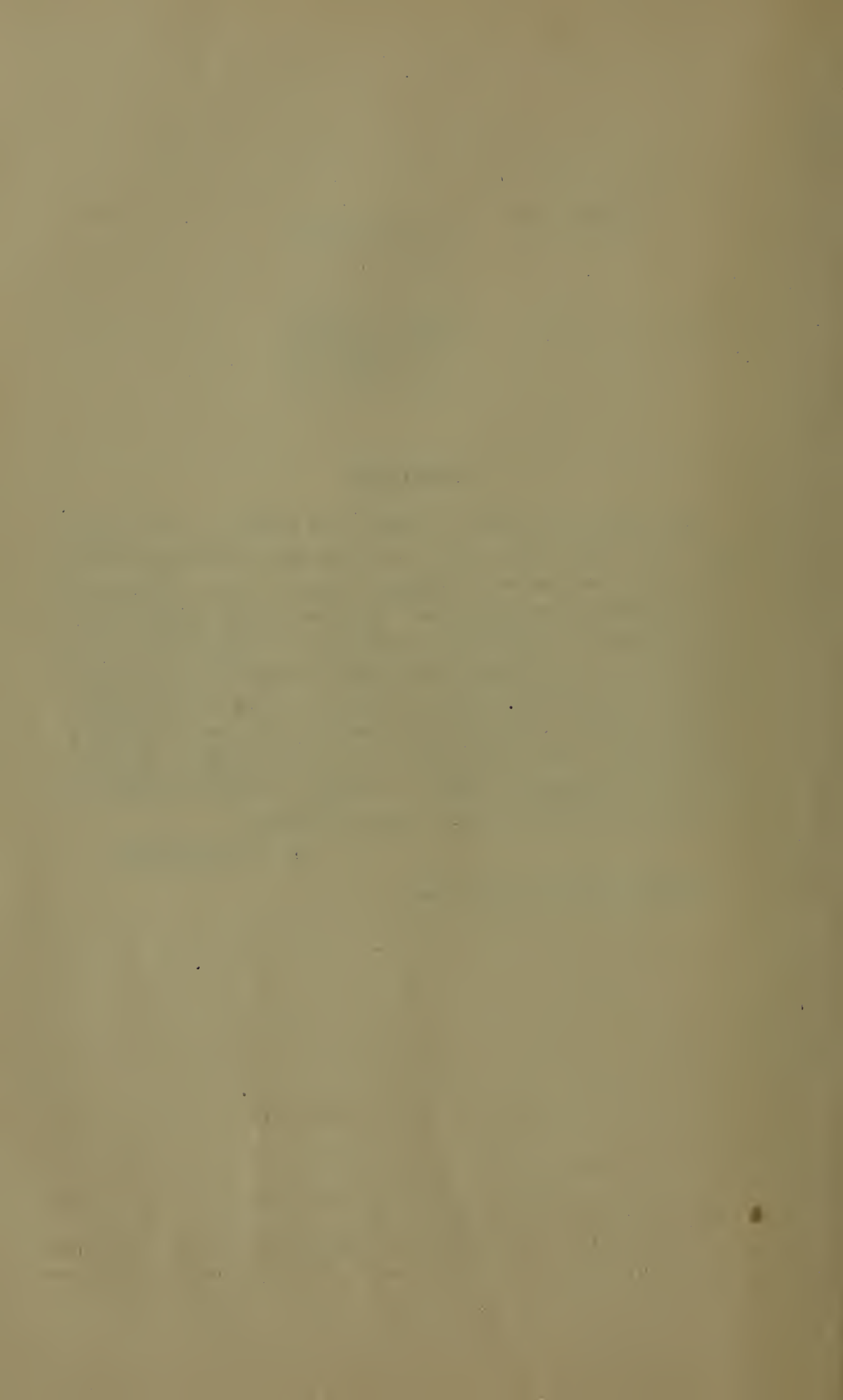


PREFACE.

This little book presents an outline and summary of the leading facts of the Oregon School Laws. The facts most closely related have been grouped and stated in language freed as nearly as practicable from legal phraseology and terms. Wherever the law seemed merely for the guidance of some officer or board, and of a directory nature, the summary has been made quite brief and so arranged that the student can easily follow the general plan. Wherever the law treats of matters of general public interest, the treatment has been more exhaustive. Practically all of the essential points have been included. Teachers will find the arrangement helpful in gaining a working knowledge of the statutes governing our state system of education.

R. F. ROBINSON.

Portland, Oregon, June 1, 1906.



STATE SUPERINTENDENT OF PUBLIC INSTRUCTION.

The State Superintendent of Public Instruction is elected every four years. He takes office on the second Monday in January following election in June. Has office at State Capitol—office expenses supplied by state. He receives an annual salary of \$3,000 and is allowed traveling expenses to the amount of \$900 a year.

Principal Duties.

1. Exercise general supervision over county and district school officers.
2. Visit counties in interest of education annually, if practicable.
3. Attend county institutes in state and educational meetings out of state when practicable.
4. Assist in organizing and developing county institute work; visit principal schools when practicable; keep statistics.
5. Visit chartered educational institutions and secure statistics.
6. Prepare and distribute to county superintendents uniform blanks, registers, forms, rules and regulations.
7. Act as secretary of State Board of Education; annotate and compile school laws.
8. Issue printed letters and circulars to school officers relative to the duties of teachers, directors, pupils, parents and guardians, managements of schools, and other matters of educational interest.
9. Decide appeals from county superintendents.
10. Cause to be held annual meetings of state teachers' association.
11. Report to the legislative assembly biennially.
12. Prepare questions for uniform eighth grade examinations.
13. Act as member Oregon Library Commission.
14. Prepare course of study for the two years of high school—required work.
15. Advise with boards regarding course in high schools—two years optional work.
16. To prepare Arbor Day Circular.
17. Visit Reform School biennially and inspect the literary work therein.

BOARDS AND COMMISSIONS.

Regular Boards.

1. State Board of Education—Governor, Secretary of State, Superintendent of Public Instruction.
2. State Board of Examiners—Not less than five nor more than nine professional teachers appointed by the State Board of Education.

3. State Board of Text-Book Commissioners—Five citizens selected by the Governor.

4. County Board of Examiners—County School Superintendent and two competent persons appointed by him.

5. Eighth Grade Examining Board—County School Superintendent and four persons appointed by him.

6. District Boundary Board—County Judge, County Commissioners, County School Superintendent. (If any county has three commissioners, the judge is not a member.)

7. District School Boards—Three qualified electors chosen by the voters of the school district. (In districts of the first class, the board consists of five members.)

8. State Library Commission—Governor, Superintendent of Public Instruction, President State University, Librarian Portland Library Association, and one person appointed by the Governor.

9. Board of Inspectors of Child Labor—Five persons appointed by the Governor.

Special Boards.

1. Board of Arbitrators—County School Superintendent and one person from each district concerned, chosen by the respective school boards.

2. County High School Board—County Judge, County Commissioners, County Treasurer, County School Superintendent.

STATE BOARD OF EDUCATION.

Meetings.

Legal requirements, semi-annually; rule of board, monthly.

Powers.

1. Authorize the **use** of text books which have been **adopted** by the State Text Book Commissioners.

2. Prepare state course of studies for grammar schools.

3. Prescribe a series of rules and regulations for the general government and discipline of public schools.

4. Use a common seal.

5. Order necessary printing.

6. Grant state certificates and diplomas, also State Life Diplomas in certain cases. (See notes under "Normal Schools.")

7. Draw warrants on State Treasurer to pay state examiners out of state examiners' fund.

8. Appoint State Board of Examiners.

9. Grant state permits and certificates to teach **special subjects**.

10. Prepare questions for county examinations.

11. Revoke certificates and diplomas on proof submitted by County Board of Examiners that the holder has been guilty of gross negligence, or incompetency or immorality, rendering him unfit to be a teacher.

12. Publish proceedings of board meetings and names of successful applicants and certificates granted.

13. The members of the State Board of Education are ex officio members of the managing boards of the State Normal Schools at Monmouth, Drain and Ashland, also State Agricultural College.

14. They constitute the managing board for the Oregon School for the Deaf and Institute for the Blind.

COUNTY SCHOOL SUPERINTENDENT.

Term—Four years, commencing first Monday in August following election.

Qualifications—Must have taught in Oregon at least nine school months and must hold a first-grade certificate or an Oregon state certificate or diploma.

Salary—Fixed by law and varies in different counties.

Vacancy—In case of vacancy in the office of County Superintendent, the County Court shall appoint a successor.

Principal Duties.

1. Serve as a member and secretary of the District Boundary Board.

2. Apportion school funds on first Monday in October and at such other times as he may deem advisable.

3. Keep an account with County Treasurer.

4. Serve as member and chairman of County Board of Examiners and Eighth Grade Examining Board.

5. Grant temporary certificates.

6. Register state certificates and state diplomas.

7. Hear and decide appeals.

8. Conduct local and county institutes.

9. Report to State Superintendent by fourth Monday in July of each year.

10. Enforce course of study for county schools.

11. Keep record of all persons under contract to teach in his county.

12. Visit schools taught in his county at least once each year (twice in counties with over 20,000 children), and seek to aid, instruct and inspire teachers to employ the best methods in teaching, governing and conducting their schools. He shall secure the proper classification of pupils.

13. He shall study to awaken among parents and children a deeper interest in the public schools, so as to secure improved attendance, deportment and scholarship of pupils.

In counties having over 20,000 school children, he shall require monthly reports from teachers.

14. Advise and consult with boards relative to the construction, warming, ventilation and arrangement of school houses; the improv-

ing and adorning of grounds; methods of instruction and discipline in school; condition of school house sites, school houses, and outbuildings.

15. Apportion county library fund and assist school boards in making selections of books.

16. Keep a record of all books purchased and distributed by him.

17. Appoint a librarian who shall receive and care for books and loan them in accordance with rules of State Library Commission.

18. Publish notice of teachers' examinations and file examination papers and keep them for one year.

19. Submit questions to applicants for state certificates or diplomas, conduct examination, forward manuscripts to Superintendent of Public Instruction.

COUNTY BOARD OF EXAMINERS.

The County Board of Examiners is composed of the County Superintendent, who is ex officio chairman, and two competent persons appointed by him. Two constitute a quorum.

Compensation.

Each member, except the County Superintendent, shall receive \$3 per day for the time actually employed in conducting the services provided by law.

Issue Certificates.

1. Hold county examinations, commencing at 9 o'clock a. m. on the second Wednesday of February and August, and continuing three days, using questions prepared by the State Board of Education, ten days' notice having been published by the County Superintendent.

2. Issue certificates to all applicants who are found to possess a good moral character, requisite scholarship and ability to teach and govern successfully.

Revoke Certificates.

1. Revoke such certificates on proof that the holder thereof has been guilty of gross negligence of duty or for incompetency or immorality.

2. If the certificate or diploma subject to revocation was granted by any other authority, the county board of examiners shall report to such authority the fact that such certificate or diploma should be revoked, giving its reason therefor.

3. Before the board of examiners revoke a certificate or diploma or notify the granting authority that such should be revoked, they shall give the accused due notice of the nature of the charges preferred, and an opportunity to be heard before such board in person and by counsel. The rights of the accused are equally guarded when charges are being heard by the State Board of Education. Provision is made, however, that no evidence shall be considered by said State Board other than that produced before the county board of examiners.

CERTIFICATION OF TEACHERS.

Teachers' certificates may be classified in four groups:

- I. Those issued by the State Board of Education—State Diploma, State Certificate, State Permit, Certificates for Special Subjects, State Life Diploma, in special cases.
- II. Those issued by County Board of Examiners—County first, second, third and primary.
- III. Those issued by Districts of the first class.
- IV. Temporary certificates issued by the County Superintendent.

State Diploma.

Scope—Life paper, good any place in state.

Requirements:

Age—Minimum age, 21.

Experience—Sixty months successful experience, fifteen of which shall be in Oregon.

Character—Good moral character.

Scholarship—On questions prepared by the State Board of Examiners, the applicant must make an average of 85 per cent. and not fall below 70 per cent. in any of the following studies: Botany, plane geometry, general history, English literature, and all studies required for a State Certificate.

Registration—Must be registered by County Superintendent in county where employed before commencing to teach, otherwise salary warrant cannot be legally drawn.

Fee—\$6.00, to be credited to State Examiners' Fund.

State Certificate.

Scope—Five-year paper, good any place in state.

Requirements:

Age—Minimum age, 21.

Experience—Thirty months (or its legal equivalent), nine of which shall be in Oregon.

Character—Good moral character.

Scholarship—On questions prepared by the State Board of Examiners, the applicant must write an average of 85 per cent. and not fall below 70 per cent. in any of the following studies: Algebra, book-keeping, composition, physical geography, physics, psychology, and all subjects required for a first-grade county certificate.

Registration—Must be registered by County Superintendent in county where employed before engaging to teach, otherwise salary warrant can not be legally drawn.

Fee—\$4.00, to be credited to State Examiners' Fund.

Papers From Other States.

Authenticated papers from other states of like grade and kind as those granted in this state may be recognized by the State Board of Education and state certificates or diplomas given thereon without

examination, if the State Board of Education is satisfied that said papers were secured by passing an examination equivalent to that given for state papers in this state. The State Board of Education has ruled that a faculty examination is not "an equivalent examination."

State Permits.

The State Board of Education may grant state permits for one year to applicants presenting acceptable papers from other states but who have not had the requisite teaching experience in Oregon to secure a state paper. Applicants must possess all requirements for a state certificate except the Oregon experience.

Certificates for Special Subjects.

Upon the application of any board of directors, and, having satisfactory evidence of the applicant's fitness to teach the subject named in the certificate, the State Board of Education may issue certificates to teachers in music; languages other than English; drawing and painting; manual training and penmanship. These certificates shall entitle the holder thereof to teach the subject therein named in any public school of the district under the control of said board of directors.

Percentages Credited.

Applicants for state papers who shall attain required percentages in one or more branches, but shall fail in others, shall be credited with such required percentages and shall be allowed to complete the examinations in the remaining branches at the two following examinations and shall then receive state certificate or diploma in accordance with the result of all the examinations. Holders of state certificates may complete the examination for state diploma in any two successive examinations during life of certificate.

Revocation.

The State Board of Education may revoke any certificate or diploma granted by it on proof presented by a County Board of Examiners that the holder has been guilty of gross negligence or incompetency or immorality rendering him unfit to be a teacher. Accused shall have due and reasonable notice of the nature of the charges, shall have opportunity to be heard in person and by counsel, and to produce witnesses.

Equivalents to Teaching Experience.

The following diplomas shall be considered equivalent to the teaching experience required for a state certificate:

1. Diplomas from the regular State Normal Schools.
2. Diplomas from any Normal Schools in the state having all requirements equal to the best Oregon State Normals.

3. Diplomas from chartered institutions of this state of collegiate or university grade, granted upon the completion of a course of at least five years' work above the eighth grade, twenty recitations a week and thirty-two weeks per year.

The State Board of Education is made the judge of the quality of these schools.

County First Grade.

Scope—Three-year paper, good in county where issued. Good in any other county in state when endorsed by County Superintendent of county where teacher is employed.

Requirements:

Age—Minimum age, 18.

Experience—Twelve school months, with approved success.

Character—Good moral character.

Scholarship—On questions prepared by State Board of Education the applicant must make an average of 90 per cent. and not fall below 70 per cent. in any one of the following named branches: Orthography, reading, writing, mental arithmetic, written arithmetic, English grammar, geography, United States history, theory of teaching, physiology and hygiene, civil government, and Oregon School Law.

Fee—\$2.00, to be paid on the first day of examination, and credited to the county institute fund.

Exemptions—When applicant has on two successive examinations received 90 per cent. or more in one or more branches, said applicant may at the next examination thereafter be excused from examination upon such branches and be credited with the standing so earned.

Endorsement—A first-grade certificate from another county becomes a valid certificate when endorsed by the County Superintendent having jurisdiction over the school in which the holder may be employed. The date of endorsement must be written on the back of the certificate and registered in a book provided for that purpose.

Registration Fee—A fee of \$1.00 shall be required for each registration, which is paid by the County Superintendent to the County Treasurer, and credited to the county institute fund. The same is true of state papers.

County Second Grade.

Scope—Two-year paper, good in county where issued.

Requirements:

Age—Minimum age, 18.

Experience—Three months, with ability and success.

Character—Good moral character.

Scholarship—On the same questions as are given for a county first, an applicant is required to make an average of 80 per cent. and not fall below 60 per cent. in any one branch.

Fee—\$2.00, collected and credited as stated under first-grade certificate.

Issuance Limited—A second-grade certificate can not be renewed, nor shall any person be entitled to receive more than one in any one county. Provision is made, however, that more than one may be issued to the same person at a public examination if such person has not had enough experience to get a first-grade certificate.

County Third Grade.

Scope—One-year paper, good in county where issued.

Requirements:

Age—Minimum age, 18.

Experience—None required.

Character—Good moral character.

Scholarship—On the same questions as are given for a county first, an applicant is required to make an average of 80 per cent. and not fall below 60 per cent. in any one branch.

Fee—\$2.00, collected and credited as stated under first-grade certificate.

Issuance Limited—A third-grade certificate can not be renewed, nor shall any person be entitled to receive more than one in any one county. Provision is made here, also, that more than one may be issued to the same person at the regular examinations if such person has not had the requisite experience for a second-grade certificate.

County Primary.

Scope—Three-year paper, good in county where issued. Holder cannot teach in any grade above the third, nor in other than a graded school, as an assistant teacher.

Requirements:

Age—Minimum age, 18.

Experience—Twelve months, with approved success.

Character—Good moral character.

Scholarship—On questions prepared by the State Board of Education, an applicant is required to make an average of 85 per cent. and not fall below 70 per cent. in any one of the following named branches: Orthography, reading, writing, arithmetic, physiology, theory of teaching, art of questioning and methods.

In counties having over 20,000 school children, an applicant must also take examination in geography.

Fee—\$2.00, collected and credited as stated under first-grade certificate.

III. Certificates Issued—Districts First Class.

Districts of the first class are required to create a board of examiners. Such districts hold a city examination and issue city certificates. They make their own rules, in regard to the scope and requirements. Their certificates are not good outside the district where issued. Cities, by courtesy, generally accept and endorse certificates issued in other cities.

IV. Temporary Certificates or Permit.

Scope—Good in county where issued until the next county examination held in county.

Requirements:

Age and character same as for other county certificates. No experience required.

Scholarship—Must take a written examination equivalent to a third-grade certificate or present a valid certificate from some other Oregon county or from some other state; also testimonials of good moral character and success as a teacher.

Fee—\$2.50, to be credited to county institute fund.

Issuance Limited—A teacher cannot legally receive more than two temporary certificates in any one county. An applicant who failed at the last public examination in any county is barred by law from receiving temporary certificate in any county.

State Grades Accepted.

A county board of examiners may accept in lieu of an examination on any branch for a county certificate or permit, any grade, certified to by the Superintendent of Public Instruction that an applicant may have received from the State Board of Education during the eighteen months immediately preceding such acceptance. No grade shall be accepted less than that prescribed for the county certificate for which application is made.

SCHOOL DISTRICTS.

For public school purposes, each county in the state is divided into convenient subdivisions, known as school districts. The territory composing a district must be contiguous. These districts are bodies corporate, can sue and be sued.

Where the public good requires it, districts are formed of adjacent territory lying in two or more counties. They are designated joint districts and the clerk reports annually to each superintendent having jurisdiction such data in regard to registration and attendance as may originate in each county.

Certificate received in either county is valid if teacher presents it for record in the other county.

How Classified.

School districts shall be classified and known as first class, second class, and third class. The classification is determined by the number of children of school age as shown by the last school census, as follows:

First Class—1,000 or more.

Second Class—More than 200 and less than 1,000.

Third Class—Less than 200.

Officers.

The officers of a district of the first class shall consist of five directors and one clerk; in districts of the second and third class, three directors and a clerk. In all cases they shall be elected by ballot and must be legal voters in the district electing them. Their term begins on the day of election. They must qualify before assuming the duties of their office by taking the usual oath of office. They serve until their successors are elected and qualified.

DISTRICT BOUNDARY BOARD.

The district boundary board is composed of the County Judge, County Commissioners and County School Superintendent. The former is chairman and the latter secretary, *ex officio*.

The Superintendent and two other members constitute a quorum.

Duties.

1. Lay off county into school districts and change the boundaries thereof when petitioned so to do.

2. May establish new districts on petition of three legal voters of the proposed new district and may, at its discretion, upon petition of three or more legal voters, change or divide the districts.

New Districts—Plan of Procedure.

1. Get up petition addressed to district boundary board, describing the proposed boundaries. Have it signed by at least three interested parties within the boundaries prescribed. Send it to the County Superintendent.

2. The County Superintendent will cause three notices to be posted in the proposed district at least ten days before action, giving a description of the boundaries and the session of the board when such petition will be heard.

3. If the petition receives favorable consideration by the boundary board, the County Superintendent shall notify in writing three petitioners in said new district, giving the number and the boundaries thereof.

4. The taxable inhabitants receiving the notice from the County Superintendent, shall immediately write and post up three notices asking the citizens thereof to assemble at a place specified for the purpose of organizing such district and electing three directors and a clerk.

5. The meeting organizes by appointing a chairman and secretary. They then elect by ballot three directors and a clerk, to hold office until the annual school meeting.

6. These officers qualify by taking the oath of office and the clerk gives a bond. Oath administered by the chairman of the meeting or any one selected by him.

7. At first regular election, there shall be elected by ballot three directors, for one, two, and three years respectively, and the ballot shall specify the term for which each is elected.

Number Children to Organize and to Continue.

To be organized, a district must have at least ten children of school age.

To continue to be a legal organization, a district must have at least six children of school age.

Districts—Change in Boundary.

If changes are desired in the boundaries of existing districts, a petition is prepared. It must be signed by at least three interested parties and sent to the district boundary board.

The board has discretionary power. The law requires ten days' notice to be given before the boundary board considers the petition. If the petition is granted and changes are made, the Superintendent is required to notify all boards concerned. If the district to be changed is a joint district, the petition shall be acted upon first by the boundary board of the county in which lies the greater part of the district.

Must Report.

If districts do not report to the County Superintendent by the second Monday of July in each year, or if they have not had a school taught in their district of at least three months, they shall not be entitled to receive their proportion of the common school fund. New districts are not required to have a school taught for one year.

Changed Districts—Government—Property.

When changes are made in district boundaries, the existing board shall act until the other portion is so organized that another board gains jurisdiction.

These changes often affect property interests, also. Each part of the district has rights that must be protected. The law provides that the respective boards of directors of all the districts concerned shall immediately make an equitable division of the then existing assets and liabilities between the old and the new districts or between the districts affected by the change.

If they fail to agree within ten days, a board of arbitrators shall be appointed.

BOARD OF ARBITRATORS.

The board of arbitrators consists of the County Superintendent, who is ex officio chairman, and two others chosen by the directors of the districts concerned.

The board of arbitrators shall determine how the property interests shall be divided. Their decision shall be final, except that it may

be reviewed by a writ of review, as other inferior tribunals are reviewed.

In determining the assets, school property shall be estimated at its present cash value. The assets and liabilities shall be divided between the districts in proportion to the last assessed value. The district retaining the realty shall pay the other district or districts concerned such sum as may be determined according to law. The subsequent apportionments made by the County Superintendent are to be made according to the number of children of school age in each district as shown by the clerk's last annual report.

Compensation.

Each member of board except the County Superintendent shall receive \$2 per day for each day's service, and necessary traveling expenses, which amount shall be equally apportioned among the several districts concerned.

Right of Eminent Domain.

When land is needed for school purposes, and the district authorities are unable to agree on a price with the holders thereof, the district boundary board on written request of the board of directors, may bring suit in the Circuit Court to condemn the property. The District Attorney is required to act as attorney for boundary board.

SCHOOL MEETINGS.

The school voters of each district shall meet once each year, which meeting shall be known as the annual meeting. The annual meeting is held on the third Monday in June. Special meetings may be held as the interests of the district shall require.

How Called.

All school meetings must be convened by a written call stating the objects of the meeting, signed by the chairman of the board and the clerk, or by a majority of the board. These notices shall be posted in three public places in the district at least ten days before the day appointed for the meeting. If meeting is to consider the introduction of grades above the eighth, the establishment of a high school, or the bonding of a district, twenty days' notice is required.

Chairman of Meeting.

The director who has served the longest time as such (since his last election) acts as chairman of district meetings and, in his absence, other members act in the order of their seniority. If none of the directors are present, the qualified voters present elect a chairman.

Election of Officers.

A district of the first class elects one director to serve for five years; such election is by ballot, and is held from 2 P. M. to 6 P. M.

The board of directors appoint the judges and name the polling places. The judges receive and canvass the vote, and report the results to the board.

In all other districts, one director is elected by ballot at the annual meeting to serve three years, and a clerk to serve one year. Districts of the second class may hold elections in the same manner as districts of the first class, if so authorized by a majority of the legal voters at any legally called school meeting.

District Meetings—Power.

District meetings legally called may levy a tax on the property of the district, make appropriations for the support and benefit of schools, and adjourn from time to time.

If the meeting is a **special one**, a tax can not be levied unless call for such meeting states that the levying of a tax is one of the purposes. At an annual meeting, any ordinary business may be transacted, even the levying of a tax, without the notice so stating.

Qualifications of Voters.

Any citizen, male or female, may vote in a school meeting if he or she possesses the following qualifications:

1. Age—Must be 21 years of age.
2. Residence—Must have resided in the district thirty days immediately preceding the meeting or election. Residence is determined by homestead or regular voting residence.
3. Property—Must have property in district, as shown by the last county assessment, and not assessed by the sheriff, on which he or she is subject or liable to pay a tax.

In **districts of the third class**, any head of a family having children of school age, and who is otherwise qualified, may vote without the property qualification.

4. Who Included—Satisfactory evidence of ownership of stock, shares or part of any corporation, firm or co-partnership which has property in the district, as shown by last assessment and not assessed by sheriff, on which tax is paid, fulfills the property qualification.
5. Citizenship—Any man who has declared his intention to become a citizen of the United States, and has resided in the state **six months** immediately preceding the meeting or election in question, shall be considered a citizen.

Challenge—The chairman, or any qualified elector, may challenge any person who offers to vote at the meeting. If challenged, the chairman administers an oath to each person so challenged to the effect that he or she will truly answer all questions which may be asked to determine his or her qualification as a voter. The chairman then questions the voter and the judges accept or reject the vote in accordance with the answers. The school board act as judges in a school meeting or election, except where polling places have been established and regular judges appointed, and also except in bond elections.

DISTRICT SCHOOL BOARDS.

Powers.

The law invests the district school board with large powers, giving them entire control of the public schools in the district and the teachers employed therein, except that the state course of study must be used in districts of the second and third class, under a penalty of forfeiture of 25 per cent. of the county school fund.

Powers and Duties—General and Specific.

The powers and duties of the board may be classified as **general**, those given to the board by law, and **specific**, those given to the board by vote of the people at an annual or special school meeting, or by petition from people.

General Powers and Duties.

1. Hold meetings necessary to the transaction of business.
2. These meetings may be called in two ways:
 - (a) By a member of the board serving written notice on the other members and clerk at least twenty-four hours before meeting. (Notice to be left at residence or usual place of business.)
 - (b) By mutual consent. No action of board lawful unless every member has been duly notified.
3. The director who has served longest **under an election** is chairman of **board meetings**. Majority constitutes quorum.

Duties.

1. Authorize clerk to call special school meetings.
2. Visit and inspect their schools from time to time.
3. Audit bills against district and authorize clerk to draw warrants for payment.
4. Furnish, from common school fund, fuel prepared for use, chalk, janitor, brooms, blackboards, erasers, stoves, window curtains, reference books, library books and other apparatus. Can not use for these purposes more than 15 per cent. of common school fund.
5. Shall hire teachers and make contracts with them. These contracts shall specify in writing:
 - (a) Wages.
 - (b) Number months to be taught.
 - (c) Time employment to begin.
 - (d) Studies to be taught, if any in addition to those required for first-grade certificate, omitting theory and school law.

Contract signed in triplicate. One copy retained by teacher, one filed in office of district clerk, and one in office of County School Superintendent. State Board of Education has decided that no contract is legal unless it be in writing.

If the teacher is related to any member of board by blood or marriage within the third degree, contract unlawful unless **all** members concur by a vote which shall be duly entered on clerk's record.

Third degree relationship excludes son, daughter, brother, sister, nephew, niece, uncle or aunt.

6. May establish rules for government of teachers and pupils, consistent with those of the State Board of Education, but it is the teacher's duty, under the direction of the board, to determine what branches each pupil shall pursue, consistent with the state course of study.

7. May admit scholars from other districts, if such scholars pay a prescribed tuition fee. Boards may contract with the boards of other districts for the admission of pupils on such terms as may be agreed upon, and the expense so incurred shall be paid out of the funds of the district sending the pupils. If not so paid, the County Superintendent having jurisdiction shall, on proof of such failure, at time of making next apportionment, deduct amount due from the delinquent district and send it to the district where children attend school.

8. On account of the prevalence of any contagious diseases or to prevent the spread of such, the board may prohibit attendance of teacher or pupil for such time as they may deem proper. They may prohibit the attendance of unvaccinated children and decide when revaccination shall be required, if cases of smallpox have occurred in the city or district.

9. They shall provide suitable and convenient water closets for each school under their charge, at least two in number, separated from each other, with different means of access. They shall keep these in a clean, chaste and wholesome condition. Grounds shall be cleared so as to give full view of the premises. Failure to comply shall be sufficient grounds for removal from office or withholding any part of county school fund. Expense incurred for such purposes is charge upon district and tax may be levied by board without vote of people.

10. Shall require that pupils be supplied with books prescribed by law.

11. Any duty imposed in the board as a body must be performed at regular or special meeting and be made a matter of record. Individual consent is not an act of board and not binding on district, and, if a contract, member making it is individually liable.

12. Shall admit to schools free all persons in district between the ages of six and twenty-one. All other persons admitted on such terms as the district may direct.

13. It shall be illegal for any member of board to receive pay for services as a member of such board, or to have pecuniary interest in any beneficiary contracts.

14. Shall prosecute in justice courts any person willfully defacing school property. The fine, which shall not be less than \$15 nor more than \$20, shall go to school fund of county.

15. Shall cause to be used uniform series state blanks.

16. Require clerk to give sufficient bond.

17. Perform such other duties as the wants of the district may demand.

18. Loan text books to indigent pupils on written report of clerk that parent or guardian is not able to purchase such books.

Specific Powers and Duties.

When authorized by majority of the legal voters present at an annual meeting or at a special meeting, called for that purpose, the purpose being stated in the notice calling the special meeting, the board exercises specific powers enumerated as follows:

1. Purchase, build, or lease and furnish school houses, or buy or lease land for school purposes. They may levy a tax, not oftener than once a year and for not more than 5 per cent. of value of taxable property. They may issue and sell district bonds and sell, lease, or otherwise dispose of school property, if notice calling such meeting so stated and was posted the required time.

2. May contract a debt by borrowing money, or otherwise, not to exceed 5 per cent. of the value of the taxable property in district and issue negotiable, interest-bearing warrants of such district. May levy tax not oftener than once each year to pay the interest or the principal when due. (See Par. "Sources of Income for School Purposes.")

3. Shall loan text books to indigent pupils.

4. May establish and maintain kindergartens for children over four, if district is of the first or second class.

5. May permit school house to be used for any proper purpose when not being used for school purposes. No dancing to be allowed, nor furniture to be removed.

6. Furnish transportation to and from school to all pupils living more than two miles from school building and pay for same out of the common school fund. If transportation is authorized, the board is given discretionary power to provide it for children living nearer than two miles; also to pay the board of any pupil or pupils near an established school instead of providing conveyance, if it can be done at no greater expense. When so authorized, the board may levy a tax to carry out these provisions.

7. Shall suspend the district school for such time as authorized and arrange with any district or districts for the instruction of the pupils while their school is suspended, and also provide for the transportation of such pupils to and from the districts with which such arrangement has been made. For this purpose, public school funds may be used and a special tax levied to carry out the instructions of the district.

Specific Powers and Duties Through Petition.

1. Petition of one-third legal voters of district makes it the duty of board to call a meeting to vote on the question of selection, purchase, or exchange of school-house site, or the erection, removal or sale of school house. Majority of votes determine instructions except for the removal of school house, which requires two-thirds majority. When removed, school house can not be again removed under three years.

2. Petition of one-third legal voters requires board to call a meeting to consider question of teaching grades above the eighth; twenty

days' notice required; majority vote decides. Board may call such meeting without petition. The same procedure is required when a district seeks to establish a high school.

3. On petition of ten legal voters, a bond election shall be called. Twenty days' notice required; majority vote decides.

4. In districts of first class, on petition of 100 qualified electors, the board may provide that any one of the modern languages may be taught as a branch study in one or more of the common schools of the district and employ a competent teacher therefor.

Penalties and Restrictions.

1. Violation of any of the provisions of law relating to the duties of directors shall be a misdemeanor, punishable by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail not less than six months, or by both such fine and imprisonment.

2. May be removed from office by a court of competent jurisdiction if found guilty of misfeasance or malfeasance in office.

3. If contract is made without the authority of board, the member making it is held individually liable.

4. It shall be illegal for any director, either directly or indirectly, to have any pecuniary interest in the erection of school houses, or for the warming, ventilation, furnishing, or repairing the same, or to receive or accept any compensation for his services as a member of the board.

5. If any district school board draw a warrant on the school fund for the wages of any teacher who does not hold a valid teacher's permit, certificate or diploma, and lay the same before the board for inspection, such district shall forfeit its proportion of the school fund for the current year.

6. Members of board, or clerk who shall willfully sign a false report to a County Superintendent with the intent of causing the Superintendent to apportion more money than the district is justly entitled to, shall be deemed guilty of a misdemeanor, and such district shall also forfeit \$25 of its proportion of the county school fund.

DISTRICT SCHOOL CLERK.

Elected annually, by people, in districts of second and third class by school board, in districts of first class.

Qualifies by taking oath of office and giving a good and sufficient bond in double the probable amount of school moneys liable to come into his hands as clerk. Bond presented to school board for their acceptance within ten days after election or appointment; filed with County Superintendent within thirty days. If clerk succeed himself, new bond is required. If clerk's bond is not given within thirty days, board shall declare office vacant. Provision is made, however, that if board accepts bond after thirty days, such bond is valid.

Principal Duties.

1. Record proceedings of district and board meetings.
2. Give notice of annual and special district meetings.
3. Make annual report to district and forward copy to County Superintendent on or before July 10th, following annual school meeting.

Clerk's annual report should contain:

- (a) Statement of receipts and expenditures for school year, segregated.
- (b) Estimated value of school property.
- (c) Annual school census.
- (d) Total enrollment and day's attendance.
- (e) Names and addresses of school officers and time each is to serve.
- (f) Such other information as may be called for on uniform state blanks.

4. Take school census, during last week in February, of all persons in district over four and under twenty years of age. The census shall contain:

(a) Names and ages of all children between 4 and 20 who actually resided in district on the 25th of February. It must include pupils absent attending institutions of learning, but exclude those staying temporarily in district.

(b) Names of all parents or guardians of such children residing in the district.

(c) Names and ages and address of every person who is blind or deaf to such an extent as to be unable to acquire an education in the common schools.

The clerk shall visit each home or place of abode and by actual observation and interrogation enumerate the children.

The census report shall be submitted to the board at annual school meeting, and all corrections necessary shall then be made. The County Superintendent may correct the report, subject to appeal to County Court. The decision of County Court is final.

5. Keep his books subject to regular inspection by any director. Duty of board to make thorough examination of clerk's books at annual meeting.

6. Use uniform series state blanks and receipt for supplies on blanks furnished for that purpose.

7. Refuse to draw order for the last month of teacher's wages until register is properly completed and filed with clerk.

8. Shall send list of officers to County Superintendent immediately after annual meeting, giving length of time each is to serve.

9. Keep a correct account of receipts and expenditures of district, and turn over money, books and papers to his duly qualified successor.

Compensation.

School boards determine the compensation clerks shall receive for their services: Provided, in districts of the third class, the amount shall not be less than \$5 nor more than \$25.

VACANCIES.

How Made.

The County School Superintendent shall declare the office of clerk or director vacant on the happening of any of the following causes:

1. The death or resignation of the incumbent.
2. When an incumbent shall be removed from office or his election thereto shall have been declared void by the judgment or decree of court.
3. When an incumbent shall cease to be a resident of the district.
4. When an incumbent shall cease to discharge the duties of his office for two consecutive months, unless prevented from discharging such duties by sickness or other unavoidable cause.

How Filled.

If office of director is vacant in district of the first class, the clerk shall call a meeting of the remaining members, who shall at once fill the vacancy from among the qualified voters of the district.

If vacancies occur in the office of director or clerk in a district of the second or the third class, a special school meeting shall be called to fill the vacancy.

If the office of each director of any district be vacant at the same time, the County School Superintendent having jurisdiction shall call a school meeting to fill the vacancy.

TEACHERS.

Duties Enumerated.

1. Maintain order and conduct himself before his school in such manner as to command the respect of his pupils.

2. Commence school at 9 o'clock and close at 4, giving one hour for noon. The directors may order a less number of hours, and may, during the rainy season, shorten the noon intermission to thirty minutes and close school at 3:30. In public schools, pupils under eight years of age may be dismissed after a four hours' session each day, or may be allowed recesses of such length that the actual confinement in the school room shall not exceed three and one-half hours per day.

3. Labor during school hours to advance pupils in their studies.

4. Create in their minds a desire for knowledge, principle, morality, politeness, cleanliness, and the preservation of physical health.

5. Instruct in physiology and hygiene orally below the fourth grade; with books in fourth grade and up. Instruction to be as thorough as in arithmetic or geography. Teacher shall certify in register that such instruction has been given with special reference to the effects of alcohol and narcotics upon the human system. Neglect of this duty by the teacher will cause apportionment of funds to be withheld from the district.

6. Keep a register showing name, sex, daily attendance, and such other data as may be called for by the blanks furnished by the State Board of Education. In counties having 20,000 school children, teachers are required to make statistical reports monthly.

7. Give vigilant attention to the temperature and ventilation of the school room, cause doors and windows to be opened at each intermission, require pupils to exercise, encourage healthful play, prohibit dangerous and immoral games and amusements.

8. Give two exercises each day in free gymnastics and suitable voice and breathing exercises.

9. Follow state course of study.

10. Make a report at time of leaving school for all that portion of the school year from the beginning of the school year, to the time of leaving, and file with the County Superintendent, and file a duplicate thereof and her register with the clerk.

11. At close of each term (or year) file with the clerk and County Superintendent a report of the school from the beginning of the school year to the close and such other data as the blanks arranged by the State Board of Education may require.

12. Must hold legal certificate during entire term of service.

Privileges and Penalties.

1. Can be dismissed only for good cause shown, and, in case the board shall pass an order to dismiss the material reason therefor shall be spread upon the record by the district clerk.

2. If dismissed unjustly, the teacher may appeal to the County Superintendent and thence to the Superintendent of Public Instruction, but for a breach of contract of teaching the teacher shall have ordinary legal remedies.

3. In the trial of a teacher for dismissal, the board, the County Superintendent or the State Superintendent, as the case may be, shall give the teacher due and legal notice in writing of the charges against him, and an opportunity to be heard in his own defense in person or by attorney.

4. At least 85 per cent. of the county and state school funds received by a district during the year shall be applied on teachers' salaries.

5. Last month's salary withheld until register is submitted to the chairman of the board and until said chairman finds, by examination, that the register has been properly kept, and enters upon the register a certificate to that effect.

6. A teacher in the public schools who shall willingly violate the terms of his contract by resigning without written notice to the board at least thirty days before the time for resignation to take effect, shall, upon due notice from the school board, have his certificate revoked by the authorities issuing same, and shall be disqualified in the public schools of this state for the remainder of the school year. Sickness or other unavoidable circumstances which prevent teacher teaching for one month is sufficient reason for the termination of

contract without the thirty day notice from the teacher. School board may release teacher from contract by mutual agreement.

7. If a teacher and board enter into a contract whereby any part of the county or state school fund shall be returned to the district, directly or indirectly, such contract shall be deemed void and the teacher's certificate shall be revoked by the County Superintendent, if a county certificate, and by the State Board of Education if a state certificate or diploma, the teacher to have the right of trial.

8. A teacher shall receive a certificate for attendance at any annual county institute or state teachers' association. This certificate, if for as much as sixteen hours' attendance, entitles the teacher to receive wages for such time as she attended, but not more than three days, providing the teacher closed school to attend the institute. The certificate, when filed with the County Superintendent, entitles the district to an apportionment of \$5.00 out of the county school fund.

9. A County Superintendent may at his discretion revoke the certificate, reduce the grade, or refuse to grant a certificate to any teacher who refuses to attend the county institute without cause.

PUPILS.

1. Shall comply with regulations established in pursuance of law for the government of such schools as they may attend.

2. Shall pursue the course of study and use the text books prescribed by law.

3. Shall submit to the authority of teachers.

4. Willful disobedience, or open defiance of the teacher's authority, the use of profanity or obscene language, shall constitute good cause for suspension.

5. Any pupil who shall in any way cut, deface, or otherwise injure school house, fence, or outbuilding, shall be liable to suspension and punishment. The parents of such pupils shall be liable for damages to the amount of the injury, on complaint of teacher, the amount to be determined by the board and collected by the board by an action therefor in a court having jurisdiction, in the name of the district, together with the costs of said action.

SCHOOL MONTH.

Common school month consists of twenty days, Unlawful to hold school on Saturday or Sunday, or legal holiday.

HOLIDAYS.

Sundays, January 1, February 22, May 30, July 4, December 25, and every day on which a general election is held throughout state; every day appointed by President or Governor as public fast or thanksgiving or holiday. If holiday occurs during session of school, teacher gets full pay therefor.

DISTRICTS OF THE FIRST CLASS.

I. Formed by Consolidating City Districts.

1. Whenever in a city or incorporated town, the census of the largest district shows more than 1,000 children, then the district boundary board shall consolidate all districts and parts of districts within such city or town into one school district of the first class, and the limits and boundaries of such district coincide with the limits and boundaries of the incorporated city or town.

The part of an original district that may lie outside the city limits is to be a part of the city school district until such time as the boundary board may otherwise provide, and the city school board must allow free tuition for a period not to exceed three years, unless such outside part or parts may be organized when limits of incorporated city or town containing a district of the first class are legally changed, then the boundaries of school district therein shall be deemed to have been changed so as to coincide.

Government.

1. The directors of the most populous district within said corporate limits, with two others to be elected as provided by law, shall be the board of such new district organization, and shall exercise control over the property and the schools.

2. At the first regular election after establishing a district of the first class, there shall be elected three directors to hold office, one for three years, one for four years, and one for five years, the term of each to be determined by lot at the first board meeting thereafter.

3. The directors of the oldest organized district affected by this act shall designate the polling places and name the judges and clerks of election, canvass the vote, and declare the result.

II. Formed by Increase of Population.

Whenever the school population of any district shall reach 1,000 or more, as shown by the annual school census, the board shall give notice that at the next election three directors are to be elected, who shall serve for three, four and five years, the time of each being determined by lot at the first meeting of the board thereafter. From and after such election such district shall be a district of the first class and have a board of five directors.

Government.

1. **Directors**—The election of directors shall be held each year, one director being chosen to serve for five years. The district may be divided into voting wards by the directors, such wards to conform as near as possible to the city wards. At least one polling place shall be established in each ward, and the judges and clerks shall be residents of that ward.

2. **Clerk**—School clerks in districts of the first class shall be deemed officers of the board. The board elects him, prescribes his duties, fixes his compensation, and the manner of payment, and fixes the amount of his bond.

3. **Principal Duties of Board:**

1. Employ a city superintendent, fix his term of office and compensation.

2. Employ teachers, janitors and other help, and fix their salaries.

3. Prescribe courses of study and make rules and regulations for the government of the district.

4. Choose such text books as, in their judgment, may be required for a more systematic grading of their schools, in addition to those already authorized by the state. The selections shall be made at the time prescribed for selecting state text books, and a record of their choice shall be regularly reported to the State Board of Education, to be by them filed.

5. Create a board of examiners for the purpose of examining all persons who may be employed to teach in the district. Of this board the County School Superintendent is ex officio chairman, and the city superintendent shall be a member. The board may, at its option, authorize the acceptance of county or state certificates, but a city certificate is good only in the district where issued.

6. Lease and build and furnish school houses and to sell district property not required for school purposes.

7. Provide polling places for school elections, make annual report to taxpayers, fix rates of tuition for non-resident pupils.

8. Hold regular meetings at which a majority constitutes a quorum. Regular meeting must be held on or before the tenth day after an election, at which time newly elected officer or officers shall enter on their duties.

9. Adopt rules for the government of the board and keep journal. Yeas and nays required and entered on journal on call of any one member.

4. **Indebtedness Limited.**

The board is authorized to contract an indebtedness not to exceed \$100,000. In cities of less than 75,000 inhabitants, indebtedness must not exceed 5 per cent. of the value of the district's taxable property.

5. **Warrants**—Warrants on districts of the first class cannot legally bear interest.

6. **Bids for Supplies**—For supplies amounting to over \$500, board shall publish notice for bids. They shall open bids in a public place. No member of board can be an interested party.

7. **Course of Study**—The course of study shall be under the entire control of board.

8. **General Duties and Powers:**

All duties and powers of directors and clerks in other districts are applicable in districts of the first class, unless they conflict with the express provisions governing such first-class districts.

SECONDARY EDUCATION.

The public schools for secondary education are classified as follows:

- I. Schools teaching grades above the eighth.
- II. District high schools.
- III. County high schools.

I. Grades Above the Eighth.

When petitioned by one-third of the legal voters of a district requesting that grades above the eighth be taught, or when the district board shall, at its discretion, think proper, it shall give **twenty days'** notice previous to the annual school meeting or a special meeting called for that purpose, that it will submit to the legal voters of said district whether grades above the eighth shall be taught therein. Voters decide by ballot; board canvasses vote; majority of votes cast decides. If majority favor measure, the board shall establish such grades and determine the branches to be taught therein. The course of study shall be that prescribed by the State Board of Education if in districts of the second or third class. (In practice and according to latest enactment, this course of study is made by the Superintendent of Public Instruction.)

II. District High Schools.

The initiative in the establishment of district high schools is the same as for the establishment of grades above the eighth, except that the petition shall request that a **high school** be established in such district at a place named in the petition and in the twenty days' previous notice given by the board. If a majority of the ballots are favorable, the board shall establish such high school, provide for its maintenance, and select suitable teachers for its various grades.

This district high school, being a part of the public school of the district, shall be under the control and management of the district school board, to the same extent as are the lower grades. The board may use for that purpose any part of state, county or special district tax funds. Provision is made, however, that before any district can legally use public funds for maintaining a high school, it must maintain at least eight months' instruction each year in the lower grades.

III. County High Schools.

Any county in the state may establish and maintain one or more county high schools.

Plan of Procedure.

Upon the presentation of a petition signed by **one hundred or more** qualified electors and taxpayers in said county, the county court shall submit to the qualified electors of the county, at any general election, or special election ordered by county court for that purpose, the question of establishing and maintaining a county high school.

The ballots for such election shall contain the words: "For County High School—Yes"; "For County High School—No"; and the voter shall indicate his choice on his ballot.

If majority of all votes cast on the proposition are in the affirmative, the county court shall within thirty days, after canvassing the vote, locate the school in some suitable and convenient place in the county. The county court shall also estimate the cost of suitable ground, the erection and furnishing of a building and the cost of maintaining the school for the next twelve months. Provision is made for renting suitable rooms, vacant public school rooms being given the preference, or for contracting with the directors of a district which maintains a high school, to teach the county pupils for a specified sum or stated rate per capita.

Maintenance and Government.

The county court shall levy a special county tax sufficient to raise the amount necessary to buy land, procure plans and specifications, erect and furnish a building, fence and ornament the grounds, or otherwise provide accommodations, and maintain the school for the next twelve months. This tax shall be collected as other county taxes, and the amount shall be held by the County Treasurer and designated "County High School Fund."

When the county court shall have completed the building and fenced the grounds, they shall cause the same to be deeded to the county high school board, to be held by them in trust for the county.

County High School Board.

The county high school board shall consist of the County Judge, two County Commissioners, County Treasurer and County School Superintendent. The first named officer shall be chairman, or president, and the last named secretary, ex officio. The board shall serve without compensation.

Duties of Board.

1. Furnish annually to county court an estimate of amount of money needed to maintain the county high school, employ suitable teachers, janitors and other employees, and do all things necessary for the proper conduct of the school.

2. Draw order on county court signed by president and secretary of board, whereupon county court shall issue warrant against county high school fund not to exceed amount of such fund in treasury.

Course of Study.

The course of study for high schools of this state shall embrace a period of four years above the eighth grade, of the public schools of this state, as follows:

Two years of **required work** and two years of optional work. The two years of **required work** shall be laid down by the Superintendent

of Public Instruction **after due consultation**, with all county and district high school boards in the state. The two years of **optional work** shall be laid down by the respective district or county high school boards **after due consultation** with the Superintendent of Public Instruction. Provision is made that the boards may provide that any portion of the two years' optional work be devoted to industrial training.

When such industrial training is made a part of the high school course, it may be interspersed with the required studies during the four years as the board may decide.

Diplomas.

A pupil who completes the four years' high school course and successfully passes the required examinations shall be granted a state high school diploma. Pupils who satisfactorily complete a course less than four years are entitled to receive a certificate or diploma indicating the number of years high school work done.

Text Books.

All text books used for the two years' required work shall be selected by the State Text Book Commission.

Who May Be Teachers.

All teachers employed in regularly organized high schools shall be graduates of the State Normal Schools of Oregon, graduates of some institution of collegiate or university grade, or hold a state certificate or diploma. Which one of these qualifications shall be required is determined by the employing high school board. (Decision State Superintendent.) This only applies to regularly organized high schools, and not to the class of schools organized as schools with grades above the eighth.

Free to What Pupils.

District high schools are free to all pupils of school age in the district who pass or have passed successfully the eighth grade uniform final examinations. County high schools are free to any pupil in the county on the same conditions.

ADOPTION OF TEXT BOOKS.

State Text Book Commission—Appointed.

In the month of February, 1901, and every six years thereafter, the Governor shall appoint from the different sections of the state a state board of five Text Book Commissioners. The Governor shall fill vacancies in such board.

In the month of February, 1901, and every six years thereafter, the Superintendent of Public Instruction shall, under the direction

of the State Board of Education, issue circular and mail a copy to the leading school book publishers in the United States. Such circular shall contain:

- (a) Name and address of each Text Book Commissioner.
- (b) Time and place of meeting to adopt text books.
- (c) General form of bid for submitting text books for adoption.
- (d) General form of contract to be entered into between the State Board of Education on the part of the state and a publisher whose books may be adopted.
- (e) Studies included in state course of study for all grades.
- (f) Such additional facts and information as may be considered expedient.

Meetings of Board.

The State Board of Text Book Commissioners shall meet at the capitol on the second Monday in July, 1901, and every six years thereafter in a room to be designated by the State Board of Education. They shall continue in session not to exceed fifteen days exclusive of Sundays and holidays. Four members constitute quorum. They shall organize by electing a chairman from their number and a secretary, a citizen of the state—one who does not hold any county or state office.

Books—How Adopted.

When organized they shall adopt text books for use in the public schools for six years. The sessions of the board shall be public and the vote on the selection of each text book shall be viva voce, and the vote of each member shall be recorded in the minutes. Three votes necessary to the adoption of any book. The adoption shall include text books for all branches of study specified in the state course of studies for all grades and no others.

Publishers' Proposals.

Publishers are required to submit their proposals in writing not later than the first day of the session of the board. These proposals must contain full information relative to the title of book, date of copyright, introductory and exchange prices, price at which they will furnish the book during the existence of the contract.

If the price of any text book in all the proposals is considered unreasonably high or the book not suitable, the board may reject and thereafter at the same or at a subsequent meeting receive new proposals.

No publisher shall have the right to have his proposal as to any text book considered unless he shall have delivered a copy thereof, free of cost, to each member of the board at least sixty days before the meeting.

Report Adoptions to State Board of Education.

The State Text Book Commissioners shall immediately report adoptions to the State Board of Education. The report shall be writ-

ten and shall be signed in triplicate by each member and attested by the secretary. It shall contain full information regarding title of book, introductory, exchange and sale prices, date of copyright, etc. One copy of report shall be retained by the chairman of the Commission, one delivered to the Governor, and one to the Superintendent of Public Instruction.

Contracts Executed.

On receiving the report of the Commission, State Board of Education shall enter into a written contract with each publisher whose book or books shall have been adopted. Contracts shall be signed in triplicate, one delivered to the Governor, one to the State Superintendent of Public Instruction, and one to the publisher named therein.

Depository and Bond.

The contract shall require the publisher to maintain at least one depository in each county in the state to be designated by the State Board of Education, where such books may be purchased. Publishers shall give a bond in such sum as the board may determine for the full and faithful performance of the same. If forfeited, the amount goes to State School Fund.

Compensation of Commissioners and Secretary.

Each member of the State Text Book Commission and the secretary elected by them shall be paid, from state funds, \$100 for attendance at each meeting required by law, and ten cents for each mile traveled in going to and from such meeting.

Adopted Books—Circular.

In August following the adoption of text books, the Superintendent of Public Instruction shall issue a circular giving full information regarding adopted text books. This circular shall be sent to County Superintendents in sufficient quantities to supply a copy to each school officer in the county.

Special Sessions of Board.

If any additional text books may be required, or if any publisher shall fail or be unable to furnish any adopted text book, a special session of the board may be called by the chairman or by the Governor. The same procedure shall be followed in regard to circulars, reports, etc., as for a general adoption.

District Directors May Adopt Text Books—When.

In July, 1901, and every six years thereafter, and at no other time, the district school board in any district in which a high school is maintained shall adopt text books required to complete any branch of study added by such board to the branches of study specified for a state high school course.

No text book shall be adopted by a school board that shall directly or indirectly be used as a substitute for any text book adopted by the State Text Book Commission, or that shall directly or indirectly replace such adopted books.

Directors' Contract With Publishers.

Within thirty days after any adoption of text books by a school board, the board shall enter into a written contract with the publishers concerned, signed in triplicate, one copy to be retained by the clerk of the district, one by the publisher, and one to be delivered to the State Superintendent of Public Instruction.

Violations of Law by Teachers—Effect Of.

Teachers in the public schools in the state shall use the adopted text books, and none others. Willful violation of this provision on the part of the teacher shall be deemed a violation of the terms of his contract, and any patron of the school or taxpayer may bring proper proceedings in a court to compel the school board or the teacher to use the adopted books.

CONSOLIDATION OF SCHOOL DISTRICTS.

If two or more contiguous districts desire to consolidate, they shall proceed as follows:

1. Prepare petitions giving the numbers and boundaries of each district to be consolidated.

2. These petitions must be addressed to the District Boundary Board and be signed by the legal voters of each district concerned in the following numbers:

- (a) District of first class, 100 or more.

- (b) District of second class, 50 or more.

- (c) District of third class, 10 or more.

3. District Boundary Board on receiving petitions shall within ten days notify the school board in each of the districts designated by the petition.

4. District school board receiving such notice shall cause its clerk to publish as a part of notice for next annual meeting that vote will be taken on question of consolidation of the districts designated in the notice from boundary board.

5. Voters at meeting vote by ballot for or against. Poll list is kept.

6. Votes counted, tally sheet certified to as correct, signed by clerk, tellers and chairman.

7. The tally sheet, poll list and ballots put in envelope and sealed by clerk.

8. He endorses on outside number of district, name of county, and date of election.

9. He sends sealed package, together with statement of the result of election, signed by clerk and chairman, to district boundary board.

10. District boundary board opens sealed package and canvasses the vote.

11. If boundary board finds majority vote favorable it notifies district school board of each district concerned, and within ten days consolidates all the territory into one district.

12. If vote is against, each district board concerned shall be notified.

13. Tally sheets, ballots, etc., kept on file in office of County Superintendent for one year.

Property and Government.

All property belonging to the respective districts shall belong to the consolidated district. The board of the most populous district according to last school census, shall govern until the first annual school meeting. Officers of other districts are out.

At time of annual meeting, if the district by consolidation has become a district of the first class, three members shall be elected to serve three, four, and five years respectively. If it remains a district of the second or third class, one member is to be chosen to serve for three years. If most populous district was a district of the first class before consolidation, then but one board member is to be chosen at annual meeting.

Apportionment of Funds.

For the first five years after consolidation, the County Superintendent, at the time he apportions \$50 to each district, shall apportion to each consolidated district as many times \$50 as there were districts consolidated.

EIGHTH GRADE EXAMINATIONS.

1. State Superintendent shall prepare questions for uniform eighth-grade examinations and prepare rules for conducting same.

2. These examinations are held in each county three times a year and may be taken by any pupil who has completed the eighth grade—state course of study.

3. Duty chairman board of directors to conduct such examination or appoint a member of his board, or the clerk, or some other person, other than the teacher, designated by the County Superintendent.

4. The examination is to be conducted according to rules and the manuscripts sent to the office of the County Superintendent within one day after it closes.

5. Examiner gets \$2.00 per day for work, payable out of school fund of district. Not paid for more than two days' time.

6. Eighth-grade examining board examines manuscripts and the County Superintendent reports to Superintendent of Public Instruction the names of all who passed.

7. Each member of the board of examiners excepting the County Superintendent is to receive \$3.00 per day from the general fund of

the county for the time employed, but not for more than three days at any one examination.

For satisfactorily completing the examinations, certificates will be granted which will entitle the holder thereof to enter any ninth grade in the state without further examination.

OREGON STATE LIBRARY COMMISSION.

Duties.

1. Give advice to schools, to established libraries, and to communities as to the best means of establishing and maintaining libraries, selection of books, cataloguing them, etc.

2. Purchase and operate traveling libraries, and circulate them where needed without cost, except for transportation.

3. Publish circulars and conduct a summer school of library instruction and a periodical "clearing house" for free gift to local libraries.

Officers.

Officers consist of president, elected from commission, and secretary selected outside of commission. The secretary shall supervise libraries, establish new ones, conduct the detail business of the association, and keep the records.

Expenses.

The secretary receives annual salary not to exceed \$1,200 per annum and traveling expenses. Commissioners receive traveling expenses. Traveling expenses of all limited to \$500. State appropriates \$2,000 per annum to carry out the provisions of this act.

SCHOOL LIBRARIES.

The Oregon State Library Commission shall prepare annually lists of books suitable for school libraries and make rules for the selection of books from such lists. The lists are to state the retail and mailing price of each book, which price shall be the lowest obtainable by bids from more than one firm.

The county courts of the several counties of the state having less than 100,000 inhabitants are required to levy a tax for library purposes which shall amount to at least ten cents per capita for all children of school age as shown by the then last preceding school census. This fund is known as the school library fund and is disposed of as follows:

1. On the first Monday in July, the County Treasurer certifies to the County Superintendent the total amount of such fund on hand ready to be apportioned.

2. On the same day the County Superintendent apportions the fund among the several school districts in proportion to the number of children between four and twenty, as shown by the preceding census.

3. He then notifies the State Library Commission of the amount apportioned to each district and the number of school children therein.

4. Between the first Monday of July and the first Monday of August, the directors of each district and the County Superintendent select such books as are desired, but not in excess of the purchasing power of the money apportioned to the district. These books must be selected from the list prepared by the State Library Commission.

5. County Superintendent then notifies the Library Commission of the selection. If Commission is not notified of selection by the 10th of August, it shall select for the district.

6. Commission orders books from dealers who have agreed to furnish them at lowest cost, and notifies County Superintendent what the books selected for his county will cost, including transportation.

7. County Superintendent draws warrant on treasurer for the amount and sends it to the commission.

8. Commission pays for books and causes them to be distributed among the several districts.

9. During the school session the library shall be kept in the school house, and the teacher is to have charge of the books. When school is not in session, it is to be in charge of a librarian appointed by the County Superintendent.

STATE NORMAL SCHOOLS.

Four State Normal Schools are established and maintained by the state. They are located at the following places: Monmouth, Weston, Drain and Ashland. (The law recognizing The Dalles Academy as a State Normal has never been repealed. The school has not been in operation since 1894, at which time property was purchased by The Dalles District.)

The courses of study pursued in the Normal Schools are prescribed by the joint action of the respective Normal School presidents and the State Board of Education.

The boards of trustees may extend the course of study so as to include the branches of a college course and confer degrees in the same, but no such work shall be allowed to conflict with the proper work of the Normal School.

Model training schools for professional practice in teaching shall be maintained in each and all, and normal students may have the privilege of training therein.

The rules and regulations for discipline in the Normal Schools shall be prescribed by the faculty of each school, subject to the approval of the State Board of Education.

Graduation from any one of the State Normals entitles the student to a diploma. This diploma is accepted by the State Board of Education as an equivalent for the thirty months' teaching experience required by law to secure a state certificate.

The State Normal Schools are each governed by a board of regents, whose duties and powers are prescribed by law, and which are similar to those required of trustees and regents of other institutions.

Regents may receive traveling expenses for attending board meetings, but do not receive any salary.

The governing bodies are made up as follows:

Monmouth—State Board of Education, ex officio, and nine persons appointed by the Governor, by and with the advice and consent of the Senate. Three go out of office every two years. Four make quorum.

Ashland and Drain—Each have boards of trustees similarly constituted, except that it requires five to make quorum.

Weston—Seven regents, appointed by the Governor, not more than four of whom shall belong to one political party. They serve for six years, retiring in groups of two, two, and three. Four make quorum.

All pupils of State Normal Schools and chartered institutions in Oregon who graduated from such institutions before September 1, 1899, under the provisions of acts in force at that time, shall be entitled to receive a state diploma or state life diploma in compliance with the conditions of the acts in force February 1, 1899.

Notes.

1. The State Board of Education has ruled that this provision applies to all persons who hold state certificates or state diplomas in compliance with acts in force February 1, 1899.

2. The state diploma as mentioned here was a **six-year paper**. In 1901 the law was changed giving the state life paper the name "State Diploma."

AGRICULTURAL COLLEGE OF OREGON.

The State Agricultural College is located at Corvallis. It is maintained by special legislative appropriations and interest on the State Agricultural Fund, derived from sale of lands in Oregon set apart by Congress for that purpose. This last named fund can not be used for buildings or for building sites.

It is governed by a board of thirteen regents, the State Board of Education, and Master of the State Grange, members ex officio, and nine members appointed by the Governor, by and with the advice and consent of the Senate. Not more than five of these appointed members shall belong to any one political party. They retire in groups of **three** every three years. Seven make quorum.

The course of study is prescribed by the board of regents, but must be consistent with the objects sought by Congress in establishing state agricultural colleges, namely, "instruction in agriculture and mechanical arts."

UNIVERSITY OF OREGON.

The University of Oregon is located at Eugene. It is governed by a board of nine regents appointed by the Governor, by and with

the advice and consent of the Senate. They serve twelve years; five constitute a quorum. No political or sectarian test ever applied in appointment of regents or instructors, except that majority of the regents can not belong to the same religious denomination.

The expenses of the university are met principally by legislative appropriations and by the use of interest on State University Fund, derived from sale of State University lands.

SCHOOL FOR THE DEAF.

There is maintained at Salem by state expense a school for the instruction of the deaf. It is governed by the State Board of Education, who have full authority and exclusive government, direction, and supervision of said school.

They employ a superintendent and teachers, and fix their salaries. The superintendent is required to give a bond, live at the school, and have charge of the land, buildings, apparatus, stock, provisions, etc.

All deaf persons of proper age residing in the state are entitled to free education in such school. Admission is gained by making written application to the County Judge—in person if of age, by parents or guardian or near friend, if minor. If the Judge finds the case worthy, he makes certificate and transmits it and application to secretary of trustees. Secretary files same in his office and issues his certificate to applicant entitling applicant to admission in school. If pupil is indigent, expense of travel and clothing is borne by county.

INSTITUTE FOR THE BLIND.

The Oregon Institute for the Blind is located at Salem. It is governed by the State Board of Education, who have full control with power to hire officers and teachers, prescribe their duties and fix their salaries, reporting expenses, management and condition of institute to the Legislative Assembly.

All blind persons of sound mind and in good health residing in the state are entitled to free education at the institute for a period of two years. The board is empowered to allow pupils to remain longer for special reasons.

SOURCES OF INCOME FOR SCHOOL PURPOSES.

Funds for the maintenance of public schools come principally from the following sources:

1. State School Fund—Interest on money received from sale of state school lands.

2. County School Fund—Tax levied annually by the county court. Must be at least \$6 per capita for each child of school age as shown by the then last preceding census. Cannot be less than per capita levy for 1903. Most fines from criminal convictions go to school fund.

3. Special District Tax—Levied by voters in district on property of district.

4. Tuition—Amount paid by non-resident children.

Funds—How Spent.

1. At least eighty-five per cent. of the common school fund (state and county funds) shall be paid for teachers' wages.

2. Fifteen per cent. of same fund and any part or all of special tax fund may be used for incidental expenses, such as fuel, janitor, brooms, chalk, erasers, apparatus, etc.

3. The special tax fund may be used for any purpose consistent with the best interests of the school, such as buildings, repairs, furniture, etc.

District Clerk Custodian.

The district clerk receives the common school fund from the county treasurer on warrant from office of county superintendent. He receives the special tax fund direct from the treasurer. He pays out money on district warrants authorized at a meeting of the board, and signed by chairman and clerk. Board may authorize chairman and clerk to draw warrants for the payment of teachers' salaries at end of each month.

SPECIAL TAXES.

1. Assessor places a valuation upon all taxable property in district.

2. County clerk reports valuation to district clerks.

3. Not oftener than once each year, and before January 1, the district at the annual meeting or a special meeting called for that purpose, the notice stating the purpose, may levy a special tax not to exceed five per cent. of taxable valuation of district.

4. District clerk must notify county clerk of levy on or before January 1.

5. Sheriff collects tax and turns it over to county treasurer, who makes receipt in triplicate—one receipt given to sheriff, one sent to county clerk or auditor and one sent to school clerk.

EMPLOYMENT OF CHILDREN.

1. No child under the age of 14 shall be employed in any factory, store, workshop, mine, or in telegraph, telephone or public messenger service.

2. No child under the age of 14 shall be employed by any one for wages during the hours when the public schools of the district in which he or she resides are in session.

3. Attendance at school is compulsory upon all children between the ages of 8 and 14, in cities, towns and villages, and upon all therein not employed in some lawful work.

4. No child under 16 shall be employed before 7 a. m. nor after 6 p. m., nor more than ten hours a day, nor more than six days a week. Every such child is entitled to at least thirty minutes for meal time at noon (lunch time not taken from employment hours).

5. No child under 16 shall be employed or permitted to work at any employment mentioned in paragraph 1 unless the employing authority procures and keeps an **age and schooling certificate** accessible to the school authorities and to the police and board of inspectors of child labor, and keep a complete list of children employed.

Age and Schooling Certificate.

The age certificate is issued by the parents or guardian. The school authorities verify this certificate by authoritative evidence and by oath of the party signing it. The city superintendent or some one authorized by him in writing, certifies in regard to the child's scholarship, development, health and whether such child has attended school during the preceding year for at least 160 days or its equivalent in study. This is called the **schooling certificate**.

The board of inspectors of child labor may demand these certificates at any time. Failure to produce them by firms where children are employed shall be **prima facie** evidence of illegal employment. Punishment is by fine of from \$10 to \$25 for first offense; double this amount for second offense.

BOARD OF INSPECTORS OF CHILD LABOR.

The Board of Inspectors of Child Labor are appointed by the Governor. Three at least shall be women. They serve for a term of five years, without compensation.

Duties.

1. Exercise a general surveillance over the employers of children, and bring complaints for violation of the child labor law before the district attorney having jurisdiction.

2. May allow, at its discretion, children between 12 and 14 years of age to be employed in any suitable work during school vacation and may issue permits therefor.

BONDS AND WARRANTS.

The indebtedness of a district may be evidenced by warrants, notes or bonds. The procedure for bonding a district is generally more technical than for other forms of indebtedness. Briefly outlined, it is as follows:

1. Draw a petition according to form given in school law. The petition requests the board to call a bond election.

2. Secure the signatures of at least ten legal voters and present petition to board.

3. Board then directs clerk to post a notice calling a bond elec-

tion. Notice must be posted 20 days, not counting the one on which it was put up, in three conspicuous places, one of which is at the place of meeting.

4. Meeting called to order by chairman. Notice and proof of posting same read and filed. Taxpayers then elect three judges and a clerk of election.

5. The voters first vote by ballot whether bonds, if issued, shall be sold according to subdivision 6 or subdivision 31, Oregon School Laws.

Subdivision 6.—Popular loan plan—provides for selling warrants or notes to residents of district or to others if residents do not want them.

Subdivision 31.—Regular bond issue plan, as here outlined.

6. In bond elections polls must be open from 1 to 4 o'clock. When the polls are closed the judges and clerk count the votes and make out and sign three certificates certifying the results.

7. One of these certificates is sent to the county superintendent, one to the county treasurer, and the other with the ballots to the school board, to be filed in clerk's office.

8. The bonds are then issued. Should be in denominations of \$500 or \$1,000. Notices of such issue should be sent to the secretary of state land board, together with copy of record of entire procedure. Also certificate from county clerk as to amount of district assessment, and opinion of district attorney or state land board attorney as to the legality of proceedings.

9. Land board may accept or reject bonds. If rejected, they are placed with county treasurer and by him registered. They are then advertised and sold by the county treasurer, but cannot be sold for less than par.

10. Board must levy annually a tax to pay interest and after ten years must levy tax to form sinking fund to meet principal when due. If borrowed from state, can be paid off at any time after one year.

11. If directors fail or refuse to levy tax, county court may levy the tax, on statement of treasurer of amount needed.

12. When money is on hand to redeem bonds, treasurer gives 30 days' notice by publication or otherwise that he has funds. If bonds are not presented in that time, interest stops.

Popular Loan.

If the voters decide by ballot to sell bonds or warrants in accordance with subdivision 6 (popular loan plan), they shall post notices or advertise in a newspaper published in district, setting forth the amount of such loan, number of years to run, rate of interest, when and where subscriptions will be received, when notes, warrants, or bonds will be delivered.

Each bona fide resident of the district may subscribe once, in any sum not less than \$50.00.

In placing the loan, the board shall issue the same, whether in notes, warrants or bonds, to the smallest subscriber first, one note, warrant or bond to each subscriber upon payment of the amount to the board, until the entire loan has been placed.

If all have had a chance to subscribe and there is still a part remaining unsold or if subscribers do not call for the papers within three days after the time fixed for delivery of same, the directors may permit subscribers to subscribe additional amounts.

ARBOR DAY.

The afternoon of the second Friday of April shall be known as "Arbor Day." It shall be the duty of teachers and officers in charge of public schools to assemble the pupils in such place as may be deemed most expedient and hold such exercises as shall tend to encourage the planting, protection, and preservation of trees and shrubs and an acquaintance with the best methods of accomplishing such results.

The Superintendent of Public Instruction, under and by the direction of the State Board of Education, shall have power to prescribe from year to year a course of exercises and instructions appropriate to the requirements of Arbor Day, which shall be adopted and observed by public school authorities.

IMPORTANT DATES AND FACTS.

1. The annual school meeting—third Monday in June.
2. Fiscal school year begins third Monday in June; ends on day preceding. (This is the way the law is administered: Statute reads, "Begins on third Monday in June and ends on the last day of June").
3. Teacher's report due—at the close of her term of service or at end of school year.
4. Clerks' report due—on or before 10th day of July following annual school meeting.
5. County superintendents' report due—on or before fourth Monday in July.
6. Arbor Day—second Friday in April.
7. Special tax levy must be reported to county clerk before January 1.
8. School age—for drawing money, over 4 and under 20. For attending school, 6 to 21.

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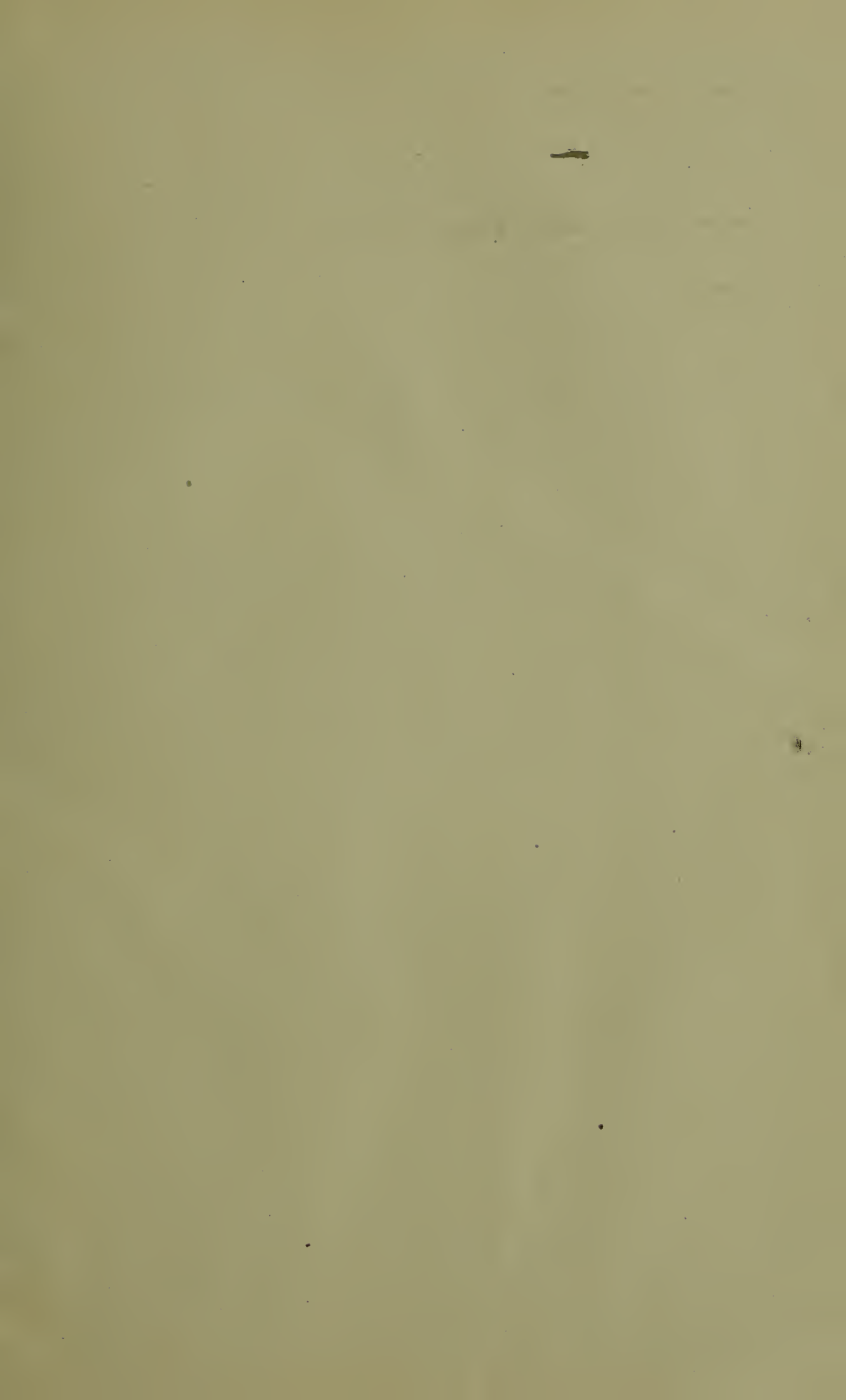
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LEADING FACTS

Oregon School Law

1906

AN OUTLINE AND SUMMARY
ARRANGED FOR
TEACHERS

BY

R. F. ROBINSON

Superintendent of Schools

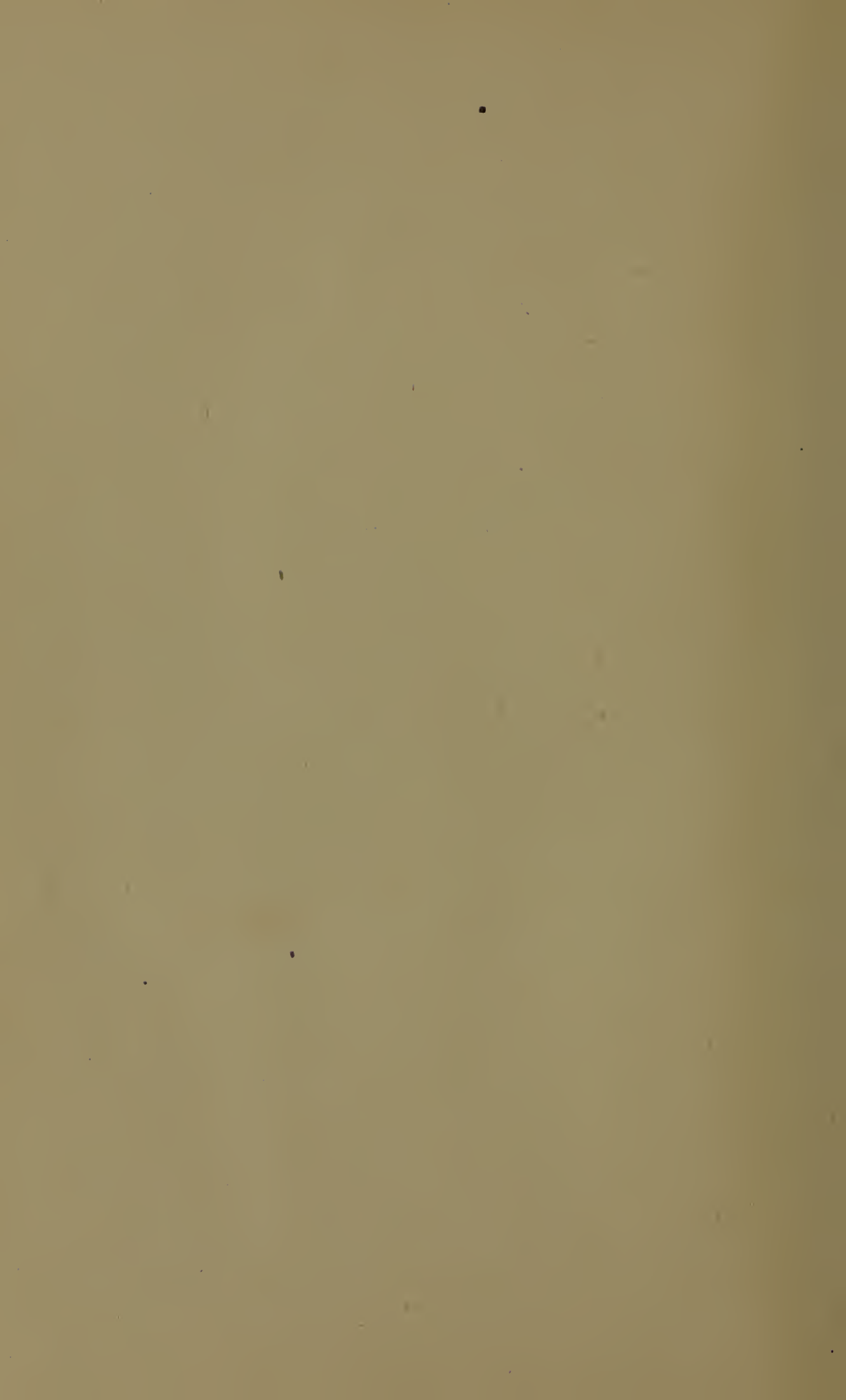
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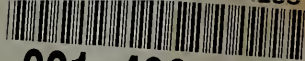
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